

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 28

January 22, 2021

SUMMARY OF BILL: Authorizes local governments to prohibit the use of tobacco and vapor products on locally owned or controlled parks, playgrounds, greenways, and property that are accessible for use by persons under 21 years of age, upon passage of an ordinance or resolution.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$30,000/FY21-22/Permissive

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-17-1551, upon passage of an ordinance, local governments are authorized to:
 - Regulate the use of tobacco products in buildings they own or lease;
 - Prohibit smoking on the grounds of a hospital; and
 - Prohibit the burning of a tobacco product, hemp product, or any other drug or substance on a locally owned playground.
- The proposed language:
 - Removes a local government's ability to prohibit the burning of hemp products and other drugs or substances on locally owned playgrounds;
 - Authorizes local governments to prohibit vapor products; and
 - Expands the locally owned or controlled properties upon which a local government may prohibit the use of tobacco or vapor products to include parks, greenways, and public property.
- Any vote required of the local legislative body will be conducted at a regularly scheduled meeting.
- Pursuant to Tenn. Code Ann. § 39-17-1805(a), signage must be placed clearly and conspicuously at every entrance to a public location where smoking is prohibited.
- Signs are estimated to cost an average of \$25 per sign.
- It is reasonably estimated there will be at least 400 signs, or \$10,000 (400 x \$25) in signage costs, in each grand division, resulting in a permissive increase in local expenditures exceeding \$30,000 (\$10,000 x 3 grand divisions).
- Any fine revenue collected by local governments as a result of violations of such regulations is estimated to be not significant.

IMPACT TO COMMERCE:

Increase Business Revenue – Exceeds \$30,000/FY21-22

Assumption:

- Local government entities electing to prohibit the use of tobacco products will purchase the requiring signage from private businesses; therefore, there will be an increase in business revenue estimated to exceed \$30,000. No significant impact to jobs will occur as a result of the purchase of this legislation.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

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